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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,175	12/20/2001	Theresa Lindner	P01,0547	8956

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EXAMINER

SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,175

Applicant(s)

LINDNER, THERESIA

Examiner

Peter J Smith

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,10,11,13-15,17,18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: application filed on 12/20/2001.
2. The objection of claims 14, 17, and 18 are dropped in response to the amendment of these claims.
3. Claims 1-3, 5-8, 10, 11, 13-15, 17, 18, and 20 are pending in the case. Claims 1, 8, 13, and 18 are independent claims.

Claim Objections

4. Claim 20 is objected to because of the following informalities: The word “product” is used interchangeably with the phrase “work routine” in limitation of this claim. The Examiner believes that Applicant intended the word “product” to be “work routine” because product would lack antecedent basis in claim 20 and the structure of the claims appears that claims 1-12 are intended to focus on processing messages related to products and claims 13-20 are intended to focus on processing messages related to work routines. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5-8, 10-15, 17, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ayyadurai, US 6,718,367 B1 filed 6/1/1999.

Regarding independent claim 1, Ayyadurai discloses receiving, at a central database, an electronic form which has been filled out so that it contains a message and information which identifies a product for which an improvement is suggested in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses retrieving the message from the electronic form in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses based on the information, classifying the message and storing the message in a table of the central database, the table being related to the product in col. 5 line 60 – col. 6 line 14. Ayyadurai discloses after storing the message in a table, scanning the message for predefined terms and, according to terms found in the scanning, forwarding the message to a predefined address in col. 5 lines 24-59.

Regarding dependent claim 2, Ayyadurai discloses obtaining the form through a web page, the web page having a link to the central database, the electronic form having a message field, a list of products, and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses making the form when activating the link in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses writing the message in the message field, marking one of the products of the list of products that can be marked, the marked product relates to the product to be improved, and automatically submitting the electronic form to the central database when the message is written in the message field, the product is marked, and the submit function is activated in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding dependent claim 3, Ayyadurai discloses wherein the product is a computer software product which includes the electronic form available when the computer-software is

Art Unit: 2176

configured on a computer, the electronic form having a message field and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses writing a message in the message field in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses automatically directing the electronic form to the central databank when the submit function is activated and the computer is connected to an information network in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding dependent claim 5, Ayyadurai discloses predefining the address to be an address related to a marketing department of a manufacturer of the product in col. 1 lines 33-50 and col. 4 lines 15-18.

Regarding dependent claim 6, Ayyadurai discloses predefining the address to be an address related to a product development department of a manufacturer of the product in col. 1 lines 33-50 and col. 4 lines 15-18.

Regarding dependent claim 7, Ayyadurai discloses adapting a list of products to a person who downloads the Web page in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding independent claim 8, Ayyadurai discloses an electronic form having a message field, a list of products, and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses a central database which contains tables respectively related to products in the list of products in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses an electronic form being obtainable through a web page which can be downloaded with a computer connected to the Internet in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses an electronic form being filled out by writing a message via the computer in the message field and by marking one of the products of the list of products in

Art Unit: 2176

col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses wherein the electronic form is filled out being conveyed to the central database by activating a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses wherein the central database stores the message based on the marked product in a table of the tables related to the marked product in col. 5 line 60 – col. 6 line 14. Ayyadurai discloses wherein the central database comprises a scanner which scans a message for predefined terms and forwards the message to a predefined address according to terms found in scanning the message in col. 5 lines 24-59.

Regarding dependent claim 10, Ayyadurai discloses predefining the address to be an address related to a marketing department of a manufacturer of the product in col. 1 lines 33-50 and col. 4 lines 15-18.

Regarding dependent claim 11, Ayyadurai discloses predefining the address to be an address related to a product development department of a manufacturer of the product in col. 1 lines 33-50 and col. 4 lines 15-18.

Regarding dependent claim 12, Ayyadurai discloses adapting a list of products to a person who downloads the Web page in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding independent claim 13, Ayyadurai discloses receiving, at a central database, an electronic form which has been filled out so that it contains a message and information which identifies a work routine for which an improvement is suggested in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses retrieving the message from the electronic form in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses based on the information, classifying the message and storing the message in a table of the central database, the table being related to the work routine in col. 5 line 60 – col. 6 line 14. Ayyadurai discloses

Art Unit: 2176

after storing the message in a table, scanning the message for predefined terms and, according to terms found in the scanning, forwarding the message to a predefined address in col. 5 lines 24-59.

Regarding dependent claim 14, Ayyadurai discloses obtaining the form through a web page, the web page having a link to the central database, the electronic form having a message field, a list of work routines, and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses making the form when activating the link in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses writing the message in the message field, marking one of the work routines of the list of work routines that can be marked, the marked work routine relates to the work routine to be improved, and automatically submitting the electronic form to the central database when the message is written in the message field, the work routine is marked, and the submit function is activated in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding dependent claim 15, Ayyadurai discloses wherein the product is a computer software product which includes the electronic form available when the computer-software is configured on a computer, the electronic form having a message field and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses writing a message in the message field in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses automatically directing the electronic form to the central databank when the submit function is activated and the computer is connected to an information network in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding dependent claim 17, Ayyadurai discloses adapting a list of work routines to a person who downloads the Web page in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Regarding independent claim 18, Ayyadurai discloses an electronic form having a message field, a list of products, and a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses a central database which contains tables respectively related to products in the list of work routines in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses an electronic form being obtainable through a web page which can be downloaded with a computer connected to the Internet in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses an electronic form being filled out by writing a message via the computer in the message field and by marking one of the work routines of the list of work routines in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses wherein the electronic form is filled out being conveyed to the central database by activating a submit function in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11. Ayyadurai discloses wherein the central database stores the message based on the marked work routine in a table of the tables related to the marked work routine in col. 5 line 60 – col. 6 line 14. Ayyadurai discloses wherein the central database comprises a scanner which scans a message for predefined terms and forwards the message to a predefined address according to terms found in scanning the message in col. 5 lines 24-59.

Regarding dependent claim 20, Ayyadurai discloses adapting a list of work routines to a person who downloads the Web page in col. 1 lines 33-50 and col. 3 line 47 – col. 4 line 11.

Response to Arguments

7. Applicant's arguments filed 3/21/2005 have been fully considered but they are not persuasive. Regarding Applicant's argument that Ayyadurai does not disclose a scanning step, or state that the central database comprises a scanner, for scanning the message that is stored in the central database in order to identify predefined terms therein and dependent on the result of the scanning, the message is forwarded to a predefined address, the Examiner respectfully disagrees. Ayyadurai describes in col. 5 lines 24-59 a series of analyses performed on the stored messages to determine how to classify and/or route each message. In addition to the section the Examiner cited, col. 5 line 60 – col. 6 line 14 describe five properties that are ascertained for each stored message. Among these are attitude, issue or problem, request, and customer type. To determine these factors as described by Ayyadurai, predefined terms associated with each degree of each property must be scanned and identified. Then, based on its identified properties, each message can be appropriately routed to its proper address location as is a stated goal of the Ayyadurai in its title, col. 4 lines 12-18, and col. 6 lines 33-41.

Regarding Applicant's argument that Ayyadurai is completely silent, and is not concerned with, how incoming information is generated, the Examiner believes Ayyadurai addresses in the abstract and col. 3 line 64 – col. 4 line 11 how incoming information is generated. The Examiner believes these teachings of Ayyadurai of how the incoming information is generated is sufficient to read up on the limitations of the claimed invention as to how the incoming information is generated. Ayyadurai specifically mentions in the abstract and col. 3 line 64 – col. 4 line 11 that a website CGI form maybe be used as input for the messages into the central database and thus does teach within the scope of the claimed invention using a

Art Unit: 2176

form which has been filled out so that it contains a message and information which identifies a product or work routine for which an improvement is suggested. Therefore, for these reasons the Examiner maintains that Ayyadurai anticipates the invention as presently claimed.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
5/26/2005


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER